



City of Annapolis

Department of Planning & Zoning
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Historic Preservation Commission

June 11, 2013

The Historic Preservation Commission of the City of Annapolis held its regularly scheduled public meeting on June 11, 2013 in the City Council Chambers. **Chair** Kennedy called the meeting to order at 7:30p.m.

Commissioners Present: **Chair** Kennedy, **Vice Chair** Leahy, Finch, Zeno, Kabriel, Jones, Toews

Staff Present: Craig-Historic Preservation Officer, Dr. Nash

Chair Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the Authority of Article 66B, Section 8.01-8.17 of the Annotated Code of Maryland and administered the oath en masse to all persons intending to testify at the hearing.

C. APPROVAL OF MINUTES

Vice Chair Leahy moved approval of the March 12, March 28, April 9 as submitted, and the April 25, 2013 meeting minutes as amended. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

D. ANNOUNCEMENTS

Ms. Craig announced that the City is sponsoring along with National Park Service and funding support for Four Rivers Heritage, a half day cultural landscape workshop on June 26, 2013, 9am at the Charles Carroll House. She also announced that the City is hosting a West Annapolis Community workshop on June 24, 2013 to address the four areas of interest for the West Annapolis Sector Study project. These four interests include protect and preserve the West Annapolis business district; manage traffic circulation; ensuring safety for pedestrians and bicycle riders; and drafting a strategy for a community park. **Chair** Kennedy asked that the administrative assistant send the HPC the cultural landscape workshop as a calendargram reminder. Ms. Craig noted that the City has addressed hazard mitigation plans by conducting preliminary survey work to help with developing a mitigation plan for the historic district. There are 140 properties within the planning area.

Ms. Craig announced that Preservation Maryland is sponsoring a summit on July 24, 2013 at St. John's College with a focus on the message that the preservation community is sending to the public.

E. VIOLATIONS

There were no violations reported.

F. CONSENT DOCKET

There were no applications placed on the consent docket.

G. OLD BUSINESS

1. **25 Market Space/Market House** – City of Annapolis & ArtWalk – Temporary installation of four (4) artistic color forms on three sides of the roof with pennants and lighting to illuminate the roofline eave (WITHDRAWN)
2. **11 Acton Place** – T. Averill Architects LLC – Construct new 2 ½ story addition and in-ground pool (WITHDRAWN)

H. NEW BUSINESS

1. 25 Cathedral Street – Joel Sachs – Repair porches, shutters and metal roof.

Mr. Sachs had nothing new to add to that previously presented.

Staff: Ms. Craig restated her written comments and recommend conditional approval subject to the applicant's submittal of any replacement railing and stair design for the rear porch to staff for approval. The applicant should also review photographic or physical evidence in order to develop a design for the porch restoration.

Public: Public testimony opened at 7:59pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Shane Mathers	19 Cathedral St.	X	
Joel Warefu	11 Cathedral St.	X	
Donna Ware	HA, Inc.	X	

No one else from the public spoke in favor or opposition of the application so **Chair** Kennedy declared the public testimony closed at 8:03pm.

Commissioners: The Commission asked that the applicant provide photographs of each window before and after repairs.

Vice Chair Leahy noted whereas the application for 25 Cathedral Street is compliant with guidelines D.5, D.6, and D.23, moved conditional approval based on the following:

1. The applicant submit to staff for review any replacement railings and stair design for the rear porch;
2. The applicant consult with HPC and architectural staff to review photographic or physical evidence in order to develop a design for the porch restoration to pre 1903 and 1908 appears;
3. The applicant provide before and after photographic evidence of each of the windows with the current and installed shutter conditions.

Chair Kennedy moved to amend the above motion to remove condition 2 noted and **Vice Chair** Leahy was amenable to the amendment. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 7-0.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Jones, Finch, Zeno

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application date time stamped May 16, 2013, 1:35pm
B	Staff Memorandum dated March 9, 2013
C	Photograph – 1912 County Road Survey
D	HAF Comments dated June 6, 2013

2. 37 Cornhill Street – Bryan Brayley & Stacey Turner – Removal and/or replacement of fencing, gates, shed, trees and masonry wall. **(WITHDRAWN)**

3. 160 Duke of Gloucester Street/Noah Hillman Garage – Install emergency generator and screening and relocate walkway and lighting.

Mr. Smith clarified that the City identified an alternate location near the recessed area adjacent to the garage to house the generator. He turned it over to Mr. Pratt for further discussion.

Mr. Pratt explained that the generator would allow the City's critical infrastructure to include police and fire, etc to remain operational during storm outages. The design concept will protect the asset from damage. He responded to the HPC's request to locate the generator inside the garage indicating that the generator cannot physically be moved through the garage doors. Mr. Smith added that the generator does create vibration when it is running so noise may be a concern. Mr. Pratt continued with testimony that the generator would operate once a week for approximately 15 minutes. Mr. Smith indicated that the applicant explored an alternate location in the event that the original location was not acceptable and found a location between the garage and the mural. DPW suggested that he consult the arborist to which he did who in turn suggested some screening materials instead of the fence that was originally proposed.

Staff: Ms. Craig restated her written comments and recommends conditional approval subject to the conditions outlined in the staff report as well as replacing the railroad ties with brick or concrete curbing.

Public: Public testimony opened at 8:43pm and those speaking are listed below.

Name	Address	Comment	In Favor	In Opposition
Donna Ware	HA, Inc.		X	

No one else from the public spoke in favor or opposition of the application so **Chair** Kennedy declared the public testimony closed at 8:44pm.

Commissioners: A majority of the commissioners present believes that the new location outside of the garage is feasible. The applicant agreed to waive the 45-day rule.

Vice Chair Leahy moved approval of the placement of the generator for 160 Duke of Gloucester because it is substantially compliant with guideline D.29 but will continue the application for the landscaping components because the HPC is uncertain that it complies with guidelines C.6, C.9 and C.11. Furthermore, HPC places a condition that a consistency report be provided to the City's Critical Area Coordinator for submission to the Critical Area Commission; that the applicant paint the generator green to blend in with proposed screening; archaeological monitoring be performed during construction; and final construction details for foundation and pads be submitted for staff approval. Mr. Toews seconded the motion. The date certain will be the July regular meeting but no later than the September regular meeting. The motion passed unanimously in a vote of 7-0.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Jones, Zeno, Kabriel, Toews, Finch

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application time stamped March 14, 2013, 4:04pm
B	Staff Memorandum dated June 1, 2013
C	HAF Comments
D	Kohler Power Systems Specification
E	Kohler Power Systems Specification 2

I. ADMINISTRATIVE HEARINGS

1. Public Hearing on O-7-13 Establishment of a New Zoning District: Waterfront City Dock, Phase One for the purpose of implementing Phase One of the recommendations of the City Dock Master Plan by establishing a new zoning district – the Water City Dock Zone.

Chair Kennedy reminded the members that the Council referred the ordinance to the HPC for guidance on the impacts of the decision to those functions under the HPC review. She introduced Dr. Nash to provide background on the ordinance.

Dr. Nash explained that the ordinance addresses the first phase of implementing the City Dock Master Plan. She said that the 2009 Comprehensive Plan called for a study of city dock that maximizes pedestrian and bicycle friendly features; incorporates open spaces for residents to congregate; and includes a transportation element. The City Dock Advisory Committee was established in 2010 and made recommendations on city dock and identified the City Dock Master Plan as the product now moving through the approval process. The City Dock Master Plan is a sector study of a particular area and only the properties that are part of the study are eligible for rezoning. The study has been divided into two phases so the first phase would address the properties along Compromise Street. There are two parts to the ordinance, text and map amendments. There are two items that are of concern to the HPC: how height is measured in the historic district and reclassification of the development area on Compromise Street from special height district 1 to 2. The map amendment will rezone six parcels and create two sub-districts. **Chair** Kennedy explained that the language takes away the HPC flexibility in the area of setbacks and Dr. Nash addressed this concern. Dr. Nash stated that all developments with floor area ratio greater than two are considered planned developments so require Planning Commission (PC) and HPC approval. The PC recommended that the height on Compromise be changed to 2-3 stories high so are proposing two things that will affect the height. The first is to use the definition of flood protection elevation as a way of measuring height. Second is that if the parcels were moved to height district 2 then it would give 28-feet plus the 4.4-feet for 32.4-feet height.

Public testimony opened at 8:43pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Donna Ware	HA, Inc.		X
Ed Hartman	980 Awald Road 21403		Spoke On
Mary Powell	517 State Street		Spoke On
Claudia Lane	2541 Steele Road, Baltimore MD 21209		Spoke On

No one else from the public spoke in favor or opposition of the application so **Chair** Kennedy declared the public testimony closed at 10:10pm.

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Staff Memorandum dated May 29, 2013
B	Ordinance #O-7-13
C	Memorandum from Planning Commission dated June 6, 2013
D	HPC Letter to Planning Commission
E	HA Inc. Memorandum dated June 6, 2013

Ms. Craig addressed comments regarding the new allowance under planned developments and the cultural landscape reports. Dr. Nash clarified that there are three types of zoning map amendments, local, sectional and comprehensive. She noted that the local map amendment could be introduced by a property owner or the PC. The sectional and comprehensive applies with a sector study. The HPC agreed to review the information and come prepared to discuss at the June 27, 2013 meeting. After this discussion, **Chair** Kennedy will draft a document for Council review.

2. Review of Evidentiary Criteria on Economic Hardship

Chair Kennedy presented the final Economic Hardship document for public comment. The public hearing opened at 10:33pm and no one from the public spoke in favor or opposition to the application so **Chair** Kennedy declared the public hearing closed at 10:34pm. This document will be amended to be included as part of the HPC Rules of Procedures. The HPC agreed to table this agenda item to its June 27, 2013 meeting.

J. ADMINISTRATIVE BUSINESS

1. Review of Banner Map

Chair Kennedy said that thirteen banners would be removed so there will be three banners that are approvable under the guidelines. There were 39 new locations identified. The HPC was asked to do site visits of the proposed banner locations.

Conduit Street

Chair Kennedy requested volunteers from the group who voted for and against the 82 Conduit Street application to draft a paragraph on the HPC's decision. Mr. Toews and Ms. Zeno volunteered to draft a paragraph for review and approval at the July meeting.

J. ADJOURNMENT

With there being no further business, **Vice Chair** Leahy moved to adjourn the meeting at 10:53pm. Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 7-0.

Tami Hook, Recorder